

**HOUSE . . . . . No. 4033**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Denise Provost**

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to transportation finance and equity.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Denise Provost	27th Middlesex
Cory Atkins	14th Middlesex
William N. Brownsberger	24th Middlesex
Mary E. Grant	6th Essex
Jonathan Hecht	29th Middlesex
Kate Hogan	3rd Middlesex
David P. Linsky	5th Middlesex
Paul McMurtry	11th Norfolk
Alice Hanlon Peisch	14th Norfolk
Byron Rushing	9th Suffolk
Carl M. Sciortino, Jr.	34th Middlesex
Timothy J. Toomey, Jr.	26th Middlesex
Tom Sannicandro	7th Middlesex

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT RELATIVE TO TRANSPORTATION FINANCE AND EQUITY.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 **SECTION 1.** Section 1 of chapter 64A of the General Laws, as appearing in the 2006 Official Edition,  
2 is hereby amended by striking out in line 70 the figure “21” and inserting in place thereof the figure:- 49.

3 **SECTION 2.** The department of revenue shall develop a transportation tax credit for individual and  
4 families of moderate means.

5 **SECTION 3.** 17 per cent of new gas tax revenues shall be dedicated to the MBTA for reduction of  
6 outstanding MBTA debt resulting from the Central Artery/Tunnel project. 14 per cent shall be dedicated  
7 to the MBTA for its capital maintenance program, except that the MBTA Board may vote to dedicate a  
8 portion of these funds on an annual basis by priority to specific MBTA expenditures eligible to receive  
9 Federal matching funds.

10 14 per cent of new gas tax revenues shall go to chapter 90 aid. The Massachusetts highway department  
11 shall determine percentages of this revenue to distribute by region. Cities and towns will have the  
12 authority to decide how to spend these funds, within approved chapter 90 categories, provided that 1  
13 percent of these revenues shall be spent on pedestrian and bicycle improvements.

14 4 per cent of new gas tax revenue shall be distributed among the commonwealth’s 15 regional transit  
15 authorities according to a formula to be determined by the executive office of transportation and labor and  
16 the commonwealth metropolitan planning organizations.

17 14 per cent of the new gas tax revenues shall be directed to the highway department for the repair of  
18 roads, bridges and overpasses but not for new road construction under the control of the department an  
19 additional 7 percent of new gas tax revenues of new gas tax revenues shall go to the highway department  
20 annually for the maintenance and repair of roads, bridge and overpasses under the control of the  
21 department of conservation and recreation.

22 **SECTION 4.** The existing tolls and discounts of the turnpike authority shall be frozen until January 1,  
23 2010. There shall be no tolls on the turnpike between the hours of 10 P.M. and 5 A.M. daily. Immediate

24 application shall be made to the federal government to institute distance-based tolls on I-93 north and  
25 south of Boston. The turnpike authority or any successor agency having jurisdiction over the central  
26 artery and its tunnels shall forthwith develop a plan for tolling. The highway department shall forthwith  
27 develop a plan for “open road” tolling on such roads under its jurisdiction, as it deems appropriate and  
28 suitable for tolling. All surface transportation agencies in the commonwealth shall implement similar  
29 electronic toll collection systems, using available technology to collect tolls automatically. In all  
30 roadway, bridge, and tunnel design and redesign projects, capacity for such technology shall henceforth  
31 be included.

32 **SECTION 5.** A fixed percentage of any tolls instituted on the central artery and/or its tunnels shall be  
33 directed to the trust fund for maintenance of the CA/T. A fixed percentage of such increased tolls shall be  
34 directed to the reduction of outstanding turnpike authority debt.

35 Any new tolls on I-93 north and south receiving federal approval shall be directed to the MPOs, if from  
36 the Mass Pike and I-93, according to the annual sharing formula then in effect, and to the MBTA (1/3)  
37 and the Boston MPO only (2/3) if from the tolls into Boston.

38 There shall be established a working group of heads of transportation agencies and authorities of the  
39 commission, or their designees, and the secretary of administration and finance, or the secretary’s  
40 designee, to plan the institution of comprehensive reform of our transportation system, and to institute  
41 efficiencies recommended in the March report of the transportation finance commissions.

42 The commonwealth shall establish a state infrastructure bank.

43 **SECTION 6.** Cities and towns that accept this section may charge a tax not to exceed 10 per cent on all  
44 commercial parking in the city or town. All revenues from such taxes shall remain within the city or town  
45 but 100 per cent shall be devoted to transportation improvements and no less than 50 per cent to  
46 improvements and amenities for by cyclists and pedestrians and to create bicycle/pedestrian connections  
47 around transit nodes. This section will authorize the establishment of a revolving fund for such revenues.

48 Commercial parking for purposes of this section, shall mean privately owned parking facilities operated  
49 for a profit.